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**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

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*I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on February 10, 2009 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.*

  
K. Jeffrey de Hart

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Application Number : 10/723,817 Confirmation No. 8001  
Filing Date : November 25, 2003  
Inventor(s) : Sadinsky, Steven E.  
Title : TENSIONED PROTECTIVE FENCE WITH GATE AND METHOD  
OF INSTALLATION THEREOF  
  
Group Art Unit : 3679  
Examiner Name : Michael P. Ferguson  
Docket No. : 50833/G316 Date: February 10, 2009

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**MAIL TO: Mail Stop RCE**

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

**1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:**

- a. ☒ Pending (no review proceedings active)
- (1) ☒ An Action was mailed by the Office on November 10, 2008, as to which no appeal under 37 CFR § 1.191 has been filed and
- ☒ a response under 37 CFR § 1.116 was electronically filed on January 8, 2009
- ☐ via Express Mail
- ☒ with certificate of electronic filing under 37 CFR § 1.8
- ☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- ☐ an appeal or civil action under 35 U.S.C. 141, 145 or 146 has been terminated
- (2) ☐ Allowed: the Notice of Allowance was mailed by the Office on
- ☐ the Issue Fee has not been paid
- ☐ the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on

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**Application No. 10/723,817**


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- b. ☐ Pending (with review proceeding active)  
An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**
2. SUBMISSION(S) REQUIRED (check at least one)
- a. Previously submitted
- ☒ Consider the amendments/reply under 37 CFR § 1.116 previously filed on January 8, 2009
- ☐ Consider the arguments in the Appeal or Reply Brief previously filed on \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- b. Enclosed
- ☐ Amendment/Reply
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement
- ☐ Documents under 37 CFR § 1.48
- ☐ Petition for Extension of Time
- ☐ Other: \_\_\_\_\_

Please direct all correspondence to **CUSTOMER NUMBER 23363**. Direct telephone calls to 626/795-9900, **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068**.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
\_\_\_\_\_  
Oliver S. Bajracharya  
Reg. No. 55,905  
626/795-9900

OSB/kjd

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
FEE CALCULATION SHEET**

**Application No. 10/723,817**

<b>PART I — BASIC FEE</b>			
BASIC FEE	Small Entity \$405.00	Large Entity \$810.00	\$405.00

<b>PART II — ADDITIONAL CLAIMS (compared to application before RCE)</b>						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	22	*23	0	x \$26.00	x \$52.00	0
Independent Claims	4	**5	0	x \$110.00	x \$220.00	0
First Presentation of Multiple Dependent Claim				\$195.00	\$390.00	0
TOTAL CLAIMS FEE						\$0
List Independent Claims: 1, 10, 14 and 18						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE. ** IF THE HIGHEST NUMBER PREVIOUSLY PAID FOR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES *(The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)*
- a.   X   Deduct from Deposit Account No. 03-1728 the basic fee of \$405.00.
- b.   X   The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

KJD PAS836044.1-\* -02/10/09 2:40 PM